

**REMARKS**

In the August 11, 2005 Office Action, the Examiner noted that claims 1-18 were pending in the application and were all rejected. However, the Detailed Action only rejected claims 1-8, 15, 16 and 18 under 35 U.S.C. § 102(e) and claims 11-14 and 17 under 35 U.S.C. § 103(a). Claims 9 and 10 were not addressed. Therefore, it is submitted that if another Office Action is issued, it cannot be a final Office Action due to the failure to provide a basis for the rejection of claims 9 and 10 in the August 11, 2005 Office Action.

In rejecting the claims, U.S. Patents 5,832,527 to Kawaguchi; 6,185,574 to Howard et al.; 6,195,695 to Cheston et al.; 6,018,741 to Howland et al.; (References A-D, respectively, in the April 23, 2004 Office Action); and 5,437,029 to Sinha (Reference A in the August 11, 2005 Office Action) were cited. Claims 1-18 remain in the case. The Examiner's rejections are traversed below.

**Newly Cited Prior Art: U.S. Patent 5,437,029 to Sinha**

The Sinha patent is directed to a distributed file system where, when a file c 83 (Fig. 1) is to be accessed, node 1 (Fig. 2) searches its root directory to find that directory a is in node 2. Conventionally, node 2 finds that directory b is in node 3 which finds file c in directory b. Thus, node 1 accesses directory b in node 3 to obtain the location of file c, so that it can access the data therein. In Sinha, location data about directories a and b and file c is stored in the cache of each node. As a result, node 1 can access file c in the directory b of node 3 without accessing node 2.

**Rejections under 35 USC § 102(e)**

In item 1 on pages 2-4 of the Office Action, claims 1-8, 15, 16 and 18 were rejected under 35 USC 102(e) as anticipated by Sinha. In rejecting claim 1, the Examiner cited the Abstract and portions of columns 1, 2 and 8. The cited portions of columns 1 and 2 in Sinha describe Figs. 1 and 2 as discussed above. The cited portion of column 8 describes that a file entry is "deleted from the SPNT cache" (column 8, line 38) when "a sufficient number of users ... in succession" (column 8, lines 36-37) access "the file while specifying a path name resolution mode which does not utilize the SPNT cache" (column 8, lines 32-34) which causes the "reference counter value for the corresponding file entry within the SPNT cache ... [to be] decremented" (column 8, lines 34-36). When the reference counter value reaches zero, the file entry is deleted, as described in the Abstract.

Nothing has been found in the cited portions of Sinha regarding anything "determined by an administrative user" (claim 1, lines 4-5) or any "attribute data specifying file usage" (claim 1, line 3), as recited in all of the independent claims, other than the counter that indicates how the file is being accessed. The other information about files in the cited portions of Sinha relate to location, not usage. Furthermore, no occurrence of any form of the word "administrate" has been found in Sinha. Since claims 1, 15, 16 and 18 all recite "setting policy attribute data ... determined by an administrative user" (e.g., claim 1, lines 4-5), claims 1, 15, 16 and 18 and claims 2-8 which depend from claim 1 patentably distinguish over Sinha. Furthermore, no form of the word "inherit" has been found in Sinha; thus, the limitations regarding inheritance of policy attribute data recited in claims 2, 7 and 8 are not anticipated or obvious from Sinha. Therefore, claims 2, 7 and 8 further patentably distinguish over Sinha.

#### **Rejections under 35 USC § 103(a)**

On page 6 of the Office Action, claim 11 was rejected under 35 USC § 103(a) as unpatentable over Sinha in view of Kawaguchi. Since the independent claims were not rejected as anticipated by Kawaguchi, it is assumed that the Examiner has acknowledged that, as discussed in the August 23, 2004 Amendment, Kawaguchi fails to disclose a policy set by an administrative user as recited in the independent claims. As discussed above, Sinha also fails to teach this feature of the present invention. Furthermore, it is submitted that combining Sinha and Kawaguchi similarly fails to teach or suggest this feature of the present invention. Therefore, it is submitted that claim 11 which depends from claim 1 patentably distinguishes over Sinha in view of Kawaguchi for the reasons discussed above with respect to claim 1.

On pages 6-7 of the Office Action, claim 12 was rejected under 35 USC § 103(a) as unpatentable over Sinha in view of Howard et al. Nothing was cited or has been found in Howard et al. suggesting modification of Sinha to overcome the deficiencies discussed above and in the August 23, 2004 Amendment. Since claim 12 depends from claim 1, it is submitted that claim 12 patentably distinguishes over Sinha in view of Howard et al. for at least the reasons discussed above with respect to claim 1.

On pages 7 and 8 of the Office Action, claims 13 and 14 were rejected under 35 USC § 103(a) as unpatentable over Sinha in view of Howard et al. and further in view of Cheston et al. Claims 13 and 14 depend from claim 1 via claim 12 and nothing was cited or has been found in Cheston et al. suggesting modification of Sinha in view of Howard et al. that would overcome the deficiencies discussed above with respect to claim 1. Therefore, as discussed in the August 23, 2004 Amendment with respect to modification of Kawaguchi et al., it is submitted that the

combination of Sinha in view of Howard et al. and Cheston et al. does not teach or suggest the present invention as recited in claims 13 and 14.

On page 8 of the Office Action, the Examiner rejected claim 17 as unpatentable over Kawaguchi in view of Howland et al. As noted in the June 21, 2005 Amendment, claim 17 was amended therein to include a limitation similar to that recited in the other independent claims regarding "file usage specified by an administrative user" (claims 17, lines 4-5). The August 11, 2005 Office Action failed to respond to this amendment of claim 17. Therefore, for this additional reason it is submitted that the next Office Action should not be a final action.

### Summary

For the reasons set forth above, it is submitted that the applied art does not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 1-18 are in a condition suitable for allowance. Reconsideration of the claims are earnestly solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 11/14/05

By: Richard A. Gollhofer  
Richard A. Gollhofer  
Registration No. 31,106

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450  
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By: Richard A. Gollhofer  
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